IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2064 OF 2007

Shri Jagannath Kisanrao Donde & Ors. ...Petitioners
V/s.
Shaikh Arif Shabbir. ...Respondent

Ms.Sharvari Shailendra i/b. M/s.P.S. Dani for the Petitioners.
Mr.M.M. Sathye for the Respondent.

CORAM : V.M. KANADE, J.

DATED : JULY 30, 2007

P.C. :-

. Heard the learned Counsel appearing on behalf of the petitioners and the learned Counsel appearing on behalf of the respondent.

2. The petitioners who are the original defendants are challenging the order passed by the Ad-hoc Additional District Judge, Nashik, in Misc.Civil Appeal No.125/2005 dated 27th February, 2007 whereby the said appeal was allowed and the injunction has been granted against the present petitioners.

3. The respondent filed the suit seeking declaration that he is the owner of the suit property and for a perpetual injunction restraining the

defendants-petitioners herein from interfering the peaceful enjoyment of the plaintiff over the suit property. An application was filed in the trial court seeking injunction. The trial Court, instead of passing order on injunction as prayed by the original plaintiff, however, directed both the parties to maintain status quo. Being aggrieved by the said order, the respondent preferred an appeal to the District Court which was allowed. Being aggrieved by the aforesaid order, the defendants-the petitioners herein has filed the present petition.

4. In the present case, impugned order was passed on 27th February, 2007. After having perused the order passed by the District Court, in my view, no case is made out for interfering with the said order while exercising writ jurisdiction of this Court. However, ends of justice would be met if the trial Court is directed to decide the suit, as expeditiously as possible and in any case, within a period of six months.

. Writ petition, is accordingly dismissed subject

to the directions given above.

(V.M. KANADE, J.)